



WEMMH/SB/21 (4/03)

124

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/585,061
Filing Date	June 1, 2000
First Named Inventor	Samuel M.D. NORVILLE
Group Art Unit	1725
Examiner Name	Kuang Y. Lin
Attorney Docket Number	9105-3

Total Number of Pages in this Submission

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TC 1700**ENCLOSURES (check all that apply)**

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached see PTO-2038 form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> To Convert a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> Additional Enclosure (please identify below) |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Small Entity Statement | <input checked="" type="checkbox"/> Return Receipt Postcard |
| <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement; PTO 1449 form & 1 reference. | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Documents | | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	James M. Durlacher Woodard, Emhardt, Moriarty, McNett & Henry LLP
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Signature	<i>James M. Durlacher</i>
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Date	June 2, 2004
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Certificate of MailingI hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this date: **June 2, 2004**

Typed or printed name	James M. Durlacher, Reg. No. 28,840
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Signature	<i>James M. Durlacher</i>	Date	June 2, 2004
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JUN 07 2004

WEMMH/SB/17 (10/03)
 Approved for use through 10/31/2002. OMB 0651-0032
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL FOR FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Complete if Known

☐ Applicant claims small entity status. See 37 CFR 1.27

Total Amount of Payment (\$180.00)

Application Number 09/585,061
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 First Named Inventor Samuel M.D. NORVILLE
 Group Art Unit 1725
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METHOD OF PAYMENT

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 23-3030

Deposit Account Name Woodard, Emhardt, Moriarty, McNett & Henry LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility Filing Fee	
1002	340	2002	170	Design Filing Fee	
1003	530	2003	265	Plant Filing Fee	
1004	770	2004	385	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1)					(\$0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee From Below	Fee Paid
-20** =		X 18 =	
Independent Claims -3** =		X 86 =	
Multiple Dependent		290 =	

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner's Action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner's Action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other Fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180)

SUBMITTED BY

Name (Print/Type) James M. Durlacher Registration No. 28,840 Telephone (317) 634-3456
 Signature James M. Durlacher Date June 2, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need any assistance in completing this form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
 Samuel M.D. NORVILLE, et al.) Before the Examiner
 Serial No. 09/585,061) Kuang Y. Lin
 Filed June 1, 2000) Group Art Unit 1725
) June 2, 2004
 APPARATUS FOR AND METHOD)
 OF PRODUCING ON-DEMAND)
 SEMI-SOLID MATERIAL FOR)
 CASTINGS)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the addressed to the Commissioner for Patents P. O. Box 1450, Alexandria, VA 22313-1450 on
 June 2, 2004

Date of deposit

James M. Durlacher

Name of Registered Representative

James M. Durlacher
 Signature

June 2, 2004

Date of Signature

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. § 1.56, Applicant wishes to bring to the attention of the Examiner the following publication which was cited in the Search Report issued by the European Patent Office on May 7, 2004 in a counterpart European patent application:

Vives, C., "Elaboration of Metal Matrix Composites from Thixotropic Alloy Slurries using a New Magnetohydrodynamic Caster", Metallurgical Transactions B, Vol., 24B, No. 3, June 1993, pgs 493-510, Metallurgical Society of AIME, New York, U.S.

This information has not previously been submitted in this application, and has not heretofore been cited by the Examiner. A copy of the cited item is enclosed in accordance with 37 C.F.R. § 1.98.

The identified information, taken alone or in combination with other art, provides information relating to the subject matter of the invention, but fails to teach, disclose or suggest the present invention. The filing of this Supplemental Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in § 1.56(b).

This Statement is being submitted on or after the mailing of a final action under § 1.113 or a Notice of Allowance under § 1.311, but before payment of the issue fee. Accordingly, this Statement accompanies a Petition and Certification Under 37 C.F.R. § 1.97(d) requesting consideration of this Statement.

PETITION AND CERTIFICATION
UNDER 37 C.F.R. § 1.97(d)

Applicant hereby petitions the United States Patent and Trademark Office for consideration of the enclosed Supplemental Information Disclosure Statement. The accompanying Information Disclosure Statement is being submitted on or after the mailing of a final action under § 1.113 or a Notice of Allowance under § 1.311, but before payment of the issue fee. The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from the European Patent Office in a counterpart foreign application not more than three months prior to the filing of this Statement.

In accordance with § 1.97(d), the petition fee as set forth in § 1.17(i)(1) is enclosed. The United States Patent and Trademark Office is authorized to charge any deficiency or credit any refund to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By James M. Durlacher
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Woodard, Emhardt, Moriarty, McNett
& Henry LLP
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